

EXHIBIT EE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

XIAOTIAN LIU

Plaintiff,

v.

KRISTI NOEM, in her official capacity, et al.,

Defendants.

Case No. 1:25-cv-00133-SE-TSM

DECLARATION OF XIAOTIAN LIU

I, Xiaotian Liu, pursuant to 28 U.S.C. § 1746, declare as follows:

1. My name is Xiaotian Liu. I am over the age of 18 and am competent to testify regarding the matters described below.

2. I am a citizen of People's Republic of China. I currently live in New Hampshire.

3. I first entered the United States in August 2016 to begin my undergraduate studies at Wake Forest University. I declared a double major in Mathematics and Computer Science in October 2017. During my undergraduate years, I worked as a tutor for the Math Department, for which I applied for a Social Security Number in September 2018.

4. I graduated in May 2020 with a Bachelor of Science in Mathematics and Computer Science.

5. In September 2020, I began my master's program in Computer Science at Wake Forest, supported by a teaching assistantship.

6. In May 2021, I returned to China to renew my F-1 visa, but the application went into administrative processing. Due to the extended visa process and the ongoing COVID-19 pandemic, I decided to take a gap semester in Fall 2021 with the approval of Wake Forest

University.

7. In late September 2021, after successfully receiving my renewed F-1 visa, I informed my academic advisor, the Computer Science department chair, and the Computer Science department administrator at Wake Forest University of my intention to return to the U.S. for the Spring 2022 semester.

8. I submitted a detailed five-semester graduation plan, confirming my commitment to continue the master's program. However, I was unaware that I also needed to contact the Designated School Official (DSO) to request the reactivation of my SEVIS record. As a result, my SEVIS status remained inactive at the time of re-entry.

9. Prior to my scheduled return, my original flight was canceled due to mechanical issues, and I immediately rebooked and shared my updated itinerary with my advisor and the department chair.

10. Upon arrival at the Detroit airport on January 2, 2022, I was taken for secondary inspection by CBP officers. When asked about my communication with Wake Forest, I provided email correspondence with faculty and was eventually able to connect the officer with the department chair. The officer confirmed my student status but was unable to approve my entry without an active SEVIS record.

11. The DSO at Wake Forest proposed granting temporary entry while reactivation paperwork was processed, but CBP declined the request. I was informed that the issue stemmed from a procedural misunderstanding, not from any intent to violate visa rules, and that my visa would remain valid.

12. I gave a sworn statement and biometric data, spent the night at the CBP facility, and voluntarily departed to Shanghai on January 3, 2022. Due to China's 28-day mandatory

quarantine, I applied for another gap semester and began researching computer science with researchers in China. This research led to the publication of a paper titled “Dual Contrastive Prediction for Incomplete Multi-View Representation Learning,” which is publicly available online.¹

13. I ultimately returned to Wake Forest on July 23, 2022, to resume my studies and graduated with a Master of Science in Computer Science in May 2023 with a GPA 4.0/4.0.

14. In September 2023, I began my Ph.D. in Computer Science at Dartmouth College.

15. I returned to China in June 2024 for a routine F-1 visa renewal and came back to the United States in August 2024 to continue my doctoral studies.

16. In December 2024, I traveled to Vancouver, Canada, to attend an academic conference.

17. Most recently, on April 4, 2025, I was informed that my SEVIS record was terminated. According to the email I received from the college, the SEVIS record indicated the following: “OTHERWISE FAILING TO MAINTAIN STATUS – Individual identified in criminal records check and/or has had their VISA revoked. SEVIS record has been terminated.”

18. However, I have not committed any crime or even traffic violations as I do not drive. I have complied with all rules and regulations as an F-1 student. I do not understand why my visa was revoked and my SEVIS record was terminated.

19. I am scared about my safety and future due to the termination of my F-1 student visa status. The uncertainty of my legal standing in the United States has caused immense stress as I have worked diligently for years to pursue my academic and professional goals.

20. Losing my F-1 status puts my education, research, and career trajectory at risk, and

¹ <https://www.computer.org/csdl/journal/tp/2023/04/09852291/1FFH9aFSLkc>.

I fear being forced to leave the country before I can complete my Ph.D. program. This sudden disruption has made me feel vulnerable and anxious, not only about my immediate situation but also about the stability and direction of my life in the years to come. My entire academic and professional identity is rooted in the path I have built here in the United States, and the possibility of losing that feels overwhelming and deeply unsettling.

21. As a direct consequence of the termination of my SEVIS record, I fear immigration detention and deportation as I may not have valid student status. I further fear that I would be detained in other parts of the country such as Louisiana after being abruptly detained.

22. Moreover, I am no longer authorized to work as a research assistant, nor am I eligible to receive any stipend from my Ph.D. program. This has placed me in an extremely difficult financial and academic position, as my research assistantship is not only my only source of income but also a core component of my doctoral training.

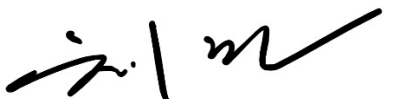
23. As a second-year Ph.D. student, I am expected to prepare for the annual progress evaluation conducted by the tenure-track Computer Science faculty, during which they assess each student's development based on research, teaching assistant work, and coursework. Without research authorization and funding, I am unable to contribute meaningfully to ongoing projects with my advisor, prepare for the Research Presentation Exam (RPE), or fulfill the level of research engagement required by the program.

24. Due to my current inability to engage in research, the most important component of a Ph.D. student's record, I may not be able to demonstrate the level of progress typically expected at this stage. This could result in an unsatisfactory evaluation, slowing my progress toward the degree and delaying key milestones such as my RPE. This disruption has caused irreparable harm to both my academic trajectory and personal well-being, undermining years of

effort and jeopardizing the continuation of my education.

25. Since I already hold a master's degree in Computer Science, both my advisor and the department expect me to complete the Ph.D. program within four years, or five years at the latest. I have already fulfilled most of the coursework requirements, with only one remaining course to complete. At this stage of my doctoral studies, research has become my primary focus. Therefore, taking a full load of regular courses rarely contributes meaningfully to the progress of my Ph.D. In fact, according to the departmental Ph.D. student progress evaluation document, "no amount of excellence in other components (TA, coursework) can compensate for weakness in research performance." The inability to continue research due to the termination of my SEVIS record would disrupt my academic timeline and could delay the completion of my degree. According to Dartmouth College policy, departmental funding is not guaranteed beyond the fifth year unless the thesis advisor has external grant support. Students entering a sixth year are classified as "late," and those entering a seventh year are considered "very late" and may face removal from the program. This delay would not only severely impact my academic progression but would also jeopardize my financial stability, as I could lose stipend support entirely if forced to extend beyond the standard timeframe due to circumstances beyond my control.

I declare under penalty of perjury that the foregoing is true and correct.


Xiaotian Liu

Xiaotian Liu
Executed on April 10, 2025.



Xiaotian Liu <[REDACTED]>

Notification of SEVIS record termination

Fri, Apr 4, 2025 at 7:54 PM

To: Xiaotian Liu

Cc: [REDACTED]

Dear Xiaotian,

My name is [REDACTED] and I am [REDACTED] at Dartmouth. Unfortunately, we discovered this evening that your F-1 record in SEVIS has been terminated by the Department of Homeland Security. Please note that this is not standard or normal procedure. Over the last several days universities have been reporting similar record terminations for their international students.

This is the notation that we can see in your SEVIS record:

OTHERWISE FAILING TO MAINTAIN STATUS - Individual identified in criminal records check and/or has had their VISA revoked. SEVIS record has been terminated.

We do not have access to any additional information as to why your SEVIS record was terminated.

We want to make you aware of this so that you can take immediate action and contact an immigration attorney for a legal consultation regarding this situation. OVIS is providing several referrals below. If you already have an immigration attorney, we encourage you to reach out to that individual as soon as possible. Please notify us once you have consulted with an attorney.

Attorney referrals:

- [REDACTED] - [REDACTED]
 - Specializes in immigration law and criminal defense law
 - Initial consult - [REDACTED]
- [REDACTED] - [REDACTED]
 - Specializes in immigration law/F-1 student regulations
 - Initial consult - [REDACTED]
- [REDACTED] - [REDACTED]
 - Specializes in immigration law/F-1 student regulations
 - Initial consult - [REDACTED]
- [REDACTED] - [REDACTED]
 - Specializes in immigration law/F-1 student regulations
 - Initial consult - [REDACTED]
- [REDACTED] - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - Specializes in removal defense law
 - Initial consult - [REDACTED]

I understand this is difficult news to receive. We ask that you please confirm your receipt of this email and follow up with our office ([REDACTED] is your OVIS advisor and he is cc'd) after you have consulted with [REDACTED]

an attorney.

[REDACTED]

[REDACTED]

[REDACTED]

Dartmouth College

[REDACTED]

Hanover, NH 03755

OVIS Walk-in Hours – Effective Spring Term 2025

Monday: 1:00 p.m. to 4:00 p.m.

Wednesday: 1:00 p.m. to 4:00 p.m.

Thursday: 1:00 p.m. to 4:00 p.m.

All other appointments must be scheduled directly with OVIS:

[REDACTED]

For an emergency that requires immediate assistance outside of normal working hours, please contact Dartmouth Safety & Security: <https://www.dartmouth.edu/security/>



Xiaotian Liu [REDACTED]

Change in SEVIS termination reason

Tue, Apr 8, 2025 at 9:07 AM

To: Xiaotian Liu [REDACTED]

Cc: [REDACTED]

Dear Xiaotian,

In reviewing the SEVIS database today we discovered that the reason for your SEVIS termination record was changed this morning to:

TERMINATION REASON: OTHER - Individual identified in criminal records check and/or has had their VISA revoked. SEVIS record has been terminated.

I am hearing from other schools that they are seeing this same change in terminated student record. The "otherwise failing to maintain status" notation no longer appears in the SEVIS record

I know you are working with outside immigration counsel and so I recommend you share this update with them.

Please be sure to reach out to the International Student Experience Office for support during what I am certain is an extremely stressful and difficult time. And Dartmouth Student Health Service at Dick's House can also offer support:

<https://students.dartmouth.edu/health-service/counseling/about>

Best,

[REDACTED]

[REDACTED]

[REDACTED]

Dartmouth College

[REDACTED]

Hanover, NH 03755

OVIS Walk-in Hours – Effective Spring Term 2025

Monday: 1:00 p.m. to 4:00 p.m.

Wednesday: 1:00 p.m. to 4:00 p.m.

Thursday: 1:00 p.m. to 4:00 p.m.

All other appointments must be scheduled directly with OVIS:



For an emergency that requires immediate assistance outside of normal working hours, please contact Dartmouth Safety & Security: <https://www.dartmouth.edu/security/>



Xiaotian Liu [REDACTED]

SEVIS Termination Follow up

[REDACTED]
To: Xiaotian Liu [REDACTED]

Sat, Apr 5, 2025 at 2:07 PM

Hi Xiaotian,

I know this is incredibly stressful and upsetting, and the timing of this occurring on a Friday evening makes everything even more challenging.

It is important that you consult with an attorney before taking any additional steps. Each student's situation is different, and it is critical that you speak with an attorney to understand the potential implications to your status and what makes the most sense for you based on your own circumstances.

I can tell you that schools have tried to request SEVIS data fixes (corrections) on these record terminations and SEVP is not entertaining those requests. The attorneys on the list I shared will be in touch with you, but may not contact you until they are back in the office after the weekend. In the meantime, I would suggest pulling together all of your F-1 documents from your time in the U.S., and any documentation of other statuses you have held, if any, as well as any documentation related to a previous charge, arrest etc. if applicable. That way when the attorney contacts you, you will have everything ready and if they ask you to send documentation you won't need to take the time to pull it together.

If you haven't heard back from anyone by end of day Monday please get back in touch with me and I will try and help.

Best,

[REDACTED]

From: Xiaotian Liu [REDACTED]
Sent: Saturday, April 5, 2025 1:52 PM
To: [REDACTED]
Subject: SEVIS Termination Follow up

Hi [REDACTED],

Thank you for the information yesterday. I have contacted several law firms for legal advice yet still waiting for their response. I think a consultation before Monday is unlikely to happen given the situation. I am writing to ask if the OVIS could help me reinstate my SEVIS status or request a SEVIS correction to maintain my legal status to stay in the States?

Best,

Xiaotian Liu

[REDACTED]

